



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3406 FAX (603) 271-7894



May 14, 2003
Letter of Deficiency
DSP #03-036

Mr. Jeffrey Dwyer
Elizabeth O'Grady Revocable Trust 1997
P.O. Box 239
East Lempster, NH 03605

RE: Richardson Brook Dam #136.11, Lempster

Dear Mr. Dwyer:

The Department of Environmental Services, Dam Bureau (DES) consistently strives to enhance the safety of dams in New Hampshire through its dam safety program. One of the many instruments that play a part in reaching this goal is our inspection program. DES is forwarding this correspondence to you to advise you that in accordance with RSA 482:12 and Env-Wr 502.02, an inspection of the subject dam was conducted on April 21, 2003. During this visual inspection and/or file review, the following deficiencies were observed:

1. There was a 2' diameter pine tree growing from the upstream face of the dam. As summarized in a DES letter dated June 6, 1995, the tree was allowed to stay as long as an annual assessment of the tree's health and size was maintained. A photo of the tree was to be forwarded to the DES annually. This has not occurred. During a phone conversation with you, removal of the pine tree on the upstream face of the dam was mentioned. You were not opposed to having the tree removed and will have this scheduled during the summer season 2003;
2. There is no operation and maintenance plan (O&M) on file with the DES; and
3. The dam cannot pass the design flow with one foot of freeboard.

DES believes that the above deficiencies can be corrected by performing the following items by the indicated schedule:

November 30, 2003:

1. Remove the 2' diameter pine tree growing from the upstream face of the dam; and
2. Submit an O&M plan to DES for review. It is recommended that the normal pool elevation of the impoundment be kept at a minimum of 4' below the top of the dam to allow for storm flows to pass through the outlets without overtopping the dam.

Due to the time that has lapsed, DES will be officially closing out the May 1992 LOD. Enclosed is a copy for your reference.

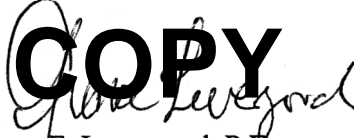
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DES is requesting that you complete and submit the attached "Intent to Complete Repairs" form, within 30 days of receipt of this letter, that will provide for correction of the identified deficiencies by the date(s) indicated above. Please call or write to our office if the repairs are completed ahead of the aforementioned schedule so that DES may schedule a follow-up inspection. Unless notified otherwise, DES will conduct the follow-up inspection on or after the date(s) indicated above. If you believe changes to the items of work or dates are necessary, please make the changes directly on the form and provide a brief explanation. Please call or write to our office if the repairs are completed before the aforementioned schedule. We have enclosed a self addressed stamped envelope for you to return this form.

Our intent in sending you this correspondence is to make you aware of items that DES believes warrant your attention to insure the continued safe operation of your dam. It is our hope that, through the submittal of the attached form and a commitment to keeping a well-maintained dam, you will voluntarily comply with the requested items of work. If we do not receive the intent form or a similarly adequate written reply, we will assume that you are in agreement with our findings and recommendations and DES will carry out follow-up inspections accordingly.

If you have any questions or comments regarding this Letter of Deficiency or would like to be present at future inspections, please contact me at 271-3406, or write to the Water Division at the address listed on the top of the previous page.

Sincerely,

COPY

Grace E. Levergood, P.E.
Dam Safety Engineer

Attachments Copy of 92 LOD, Guideline for an O&M plan, DB8, DB13

cc: Gretchen Rule ✓

Town of Lempster

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GEL/was/h:/safety/wendy/lod/136-11lod.doc